

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANTS :	Andrew ROUSE et al.	CONFIRMATION NO.:	5196
SERIAL NUMBER :	09/885,151	EXAMINER:	Md S. Elahee
FILING DATE :	June 20, 2001	ART UNIT:	2614
FOR :	SYSTEM AND METHOD FOR PROVIDING ACCESS TO FORMS FOR DISPLAYING INFORMATION ON A WIRELESS ACCESS DEVICE		

**Supplemental Appeal Brief
Under 37 C.F.R. § 41.37**

Mail Stop Appeal Brief - Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to the Notification of Non-Compliant Appeal Brief dated **November 26, 2008**, Appellants hereby submit this Supplemental Brief on Appeal pursuant to 37 C.F.R. § 41.37.

It is not believed that any extensions of time or fees are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees that may be required are hereby authorized to be charged to our Deposit Account No. 033975 (**Ref. No. 042846-0312951**).

Supplemental Appeal Brief Under 37 C.F.R. § 41.37

I. Real Party in Interest

By virtue of the Assignment recorded February 4, 2002, at Reel 012553, Frame 0461, International Business Machines Corporation, the assignee of the present application, is the real party in interest.

II. Related Appeals and Interferences

Appellants are not aware of any related appeals or interferences.

III. Status of Claims

Pending: Claims 1-34, 36-45, and 47-62 are pending.

Cancelled: Claims 35 and 46 are cancelled.

Rejected: Claims 1-34, 36-45, and 47-62 stand rejected.

Allowed: No claims have been allowed.

On Appeal: Claims 1-34, 36-45, and 47-62 are appealed.

IV. Status of Amendments

In response to the Final Office Action dated December 13, 2006 ("Final Action"), Appellants filed a Reply and Proposed Amendment on March 6, 2007 ("Proposed Amendment"). In the Advisory Action dated March 30, 2007 ("Advisory Action"), the Examiner denied entry of the Proposed Amendment. Accordingly, the pending claims attached in **Appendix A** (i.e., claims 1-34, 36-45, and 47-62) are identical to those presented prior to the Final Action.

Appellants also note that, in the Advisory Action, the Examiner indicated that the Proposed Amendment was sufficient to overcome the rejection of claims 1, 9, 17, 25, and 53 under 35 U.S.C. § 103 as allegedly being unpatentable over "Learn Microsoft Office" to Russell A. Stultz ("Stultz") in view of U.S. Patent Application Pub. No. 2006/0105804 to Kumar ("Kumar"). However, in the Notification of Non-Compliant Appeal Brief dated December 10, 2007, the Examiner clarified that the Advisory Action was intended to indicate that the

Proposed Amendment would have overcome this rejection had it been entered. Because the Proposed Amendment was not entered, however, this Supplemental Appeal Brief addresses the rejection of claims 1, 9, 17, 25, and 53 based on the combination of Stulz and Kumar.

V. Summary of Claimed Subject Matter

Background

The present invention relates to enabling a user to access one or more forms displaying information on a wireless device (e.g., a mobile phone, interactive pager, personal digital assistant, or other wireless device) via a wireless service provider. The accessed forms may generally facilitate an ability of the user to retrieve, view, or send various types of information from the wireless device. For example, various types of forms can be accessed via the wireless device, including facsimiles, memoranda, invitations, user profiles, or other applications (e.g., Specification, page 3, line 23 – page 4, line 12). The forms may include predetermined form fields, specific to each application, and may be created, modified, forwarded, or otherwise transmitted to one or more selected recipients (e.g., Specification, page 7, lines 6-15; Abstract).

Independent Claim 1

According to one aspect of the invention, as recited in independent claim 1, for example, a method for formatting a document that includes transmissible media content may be provided (e.g., Specification, page 17, lines 11-14). In one implementation, the document may be formatted for display to include one or more fields corresponding to portions of the transmissible media content (e.g., e-mail, fax, memo, calendar events, etc.) (e.g., Specification, page 4, lines 2-6; page 17, lines 21-24). As such, a user may select one or more fields for displaying the transmissible media content via a forms module, wherein the fields may include rich text, text, date/time, number, checkbox radio button, list boxes, authors, names, readers, and/or other fields (e.g., Specification, page 16, lines 8-15; page 17, line 11 – page 18, line 3).

Thus, a plurality of forms may be presented for display, wherein one of the plurality of forms may include a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content (e.g., Specification, page 26, line 7 – page 27, line 4). Furthermore, one of the plurality of forms may

also include a brief form used to format the display of the transmissible media content according to the one or more fields corresponding to the user-selected portions of the transmissible media content, wherein the user selected fields are less than all the available fields (e.g., Specification, page 26, line 7 – page 27, line 4).

In one implementation, the wireless client device may include an input interface enabling the user to select at least one form from among the plurality of different forms for displaying the transmissible media content (e.g., Figure 3, element 310). A form application associated with the selected form may then be provided to format display of the transmissible media content according to the selected form (e.g., Specification, page 26, lines 7-12). Thus, formatted transmissible media content associated with the selected form may be transmitted to and/or from the wireless client device via a wireless medium (e.g., Specification, page 6, line 19 – page 8, line 17).

Independent Claim 9

According to one aspect of the invention, as recited in independent claim 9, for example, a system for formatting a document that includes transmissible media content may be provided (e.g., Specification, page 17, lines 11-14). In one implementation, the document may be formatted for display to include one or more fields corresponding to portions of the transmissible media content (e.g., e-mail, fax, memo, calendar events, etc.) (e.g., Specification, page 4, lines 2-6; page 17, lines 21-24). As such, the system may include a forms module enabling the user to select one or more fields for displaying the transmissible media content, wherein the fields may include rich text, text, date/time, number, checkbox radio button, list boxes, authors, names, readers, and/or other fields (e.g., Figure 4, element 414; Specification, page 16, lines 8-15; page 17, line 11 – page 18, line 3).

Thus, a display may be used to display the plurality of forms (e.g., Figure 3, element 310), wherein one of the plurality of forms may include a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content (e.g., Specification, page 26, line 7 – page 27, line 4). Furthermore, one of the plurality of forms may also include a brief form used to format the display of the transmissible media content according to the one or more fields corresponding

to the user-selected portions of the transmissible media content, wherein the user selected fields are less than all the available fields (e.g., Specification, page 26, line 7 – page 27, line 4).

In one implementation, the wireless client device may include an input interface enabling the user to select at least one form from among the plurality of different forms for displaying the transmissible media content (e.g., Figure 3, element 310). A processor unit may provide a form application associated with the selected form to format display of the transmissible media content according to the selected form (e.g., Figure 1, element 130; Specification, page 26, lines 7-12). Thus, formatted transmissible media content associated with the selected form may be transmitted to and/or from the wireless client device via a wireless medium (e.g., Figure 1, elements 116, 130; and Specification, page 6, line 19 – page 8, line 17).

Independent Claim 17

According to one aspect of the invention, as recited in independent claim 17, for example, a system for formatting a document that includes transmissible media content may be provided (e.g., Specification, page 17, lines 11-14). In one implementation, the document may be formatted for display to include one or more fields corresponding to portions of the transmissible media content (e.g., e-mail, fax, memo, calendar events, etc.) (e.g., Specification, page 4, lines 2-6; page 17, lines 21-24). As such, the system may include a selection means (e.g., Figure 4, element 414) enabling the user to select one or more fields for displaying the transmissible media content, wherein the fields may include rich text, text, date/time, number, checkbox radio button, list boxes, authors, names, readers, and/or other fields (e.g., Specification, page 16, lines 8-15; page 17, line 11 – page 18, line 3).

The system may further include display means for displaying the plurality of forms (e.g., Figure 3, element 310), wherein one of the plurality of forms may include a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content (e.g., Specification, page 26, line 7 – page 27, line 4). Furthermore, one of the plurality of forms may also include a brief form used to format the display of the transmissible media content according to the one or more fields corresponding to the user-selected portions of the transmissible media content, wherein the user selected

fields are less than all the available fields (e.g., Specification, page 26, line 7 – page 27, line 4).

In one implementation, the system may further include an input interface enabling the user to select at least one form from among the plurality of different forms for displaying the transmissible media content (e.g., Figure 3, element 310). Processor means (e.g., Figure 1, element 130) may then provide a form application associated with the selected form to format display of the transmissible media content according to the selected form (e.g., Specification, page 26, lines 7-12). Thus, formatted transmissible media content associated with the selected form may be transmitted to and/or from the wireless client device via a wireless medium (e.g., Figure 1, elements 116, 130; and Specification, page 6, line 19 – page 8, line 17).

Independent Claim 25

According to one aspect of the invention, as recited in independent claim 25, for example, a storage medium may store machine readable code executable for formatting a document that includes transmissible media content (e.g., Figure 1, elements 120, 128, 130; Specification, page 17, lines 11-14). In one implementation, the document may be formatted for display to include one or more fields corresponding to portions of the transmissible media content (e.g., e-mail, fax, memo, calendar events, etc.) (e.g., Specification, page 4, lines 2-6; page 17, lines 21-24). As such, the storage medium may comprise forms selection code (e.g., Figure 4, element 414) to enable a user may select one or more fields for displaying the transmissible media content, wherein the fields may include rich text, text, date/time, number, checkbox radio button, list boxes, authors, names, readers, and/or other fields (e.g., Specification, page 16, lines 8-15; page 17, line 11 – page 18, line 3).

The storage medium may further comprise presenting code that presents a plurality of forms for display (e.g., Figure 3, element 310), wherein one of the plurality of forms may include a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content (e.g., Specification, page 26, line 7 – page 27, line 4). Furthermore, one of the plurality of forms may also include a brief form used to format the display of the transmissible media content according to the one or more fields corresponding to the user-selected portions of the transmissible media content, wherein the user selected fields are less than all the available fields (e.g., Specification, page

26, line 7 – page 27, line 4).

In one implementation, the storage medium may further include selecting code that enables the user to select at least one form from among the plurality of different forms for displaying the transmissible media content on the wireless client device (e.g., Figure 3, element 310). Providing code may then provide a form application associated with the selected form to format display of the transmissible media content according to the selected form (e.g., Specification, page 26, lines 7-12). Thus, communicating code may transmit the formatted transmissible media content associated with the selected form to and/or from the wireless client device via a wireless medium (e.g., Specification, page 6, line 19 – page 8, line 17).

Dependent Claim 40

According to one aspect of the invention, as recited in dependent claim 40, for example, the at least one selected form recited in the method of claim 1 may comprise a custom made form (e.g., Specification, page 17, line 11 – page 18, line 3).

Dependent Claim 50

According to one aspect of the invention, as recited in dependent claim 50, for example, the at least one form recited in the system of claim 9 may comprise a custom made form (e.g., Specification, page 17, line 11 – page 18, line 3).

Independent Claim 53

According to one aspect of the invention, as recited in independent claim 53, for example, a system for formatting a document that includes transmissible media content may be provided (e.g., Specification, page 17, lines 11-14). In one implementation, the document may be formatted for display to include one or more fields corresponding to portions of the transmissible media content (e.g., e-mail, fax, memo, calendar events, etc.) (e.g., Specification, page 4, lines 2-6; page 17, lines 21-24). As such, the system may include a module enabling the user to select one or more fields for displaying the transmissible media content (e.g., Figure 4, element 414), wherein the fields may include rich text, text, date/time, number, checkbox radio button, list boxes, authors, names, readers, and/or other fields (e.g., Specification, page 16, lines 8-15; page 17, line 11 – page 18, line 3).

The system may further include a display module that displays the plurality of forms

(e.g., Figure 3, element 310). In one implementation, one of the plurality of forms may include a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content (e.g., Specification, page 26, line 7 – page 27, line 4). Furthermore, one of the plurality of forms may also include a brief form used to format the display of the transmissible media content according to the one or more fields corresponding to the user-selected portions of the transmissible media content, wherein the user selected fields are less than all the available fields (e.g., Specification, page 26, line 7 – page 27, line 4).

In one implementation, the system may further include a forms module that enables the user to select at least one form from among the plurality of different forms for displaying the transmissible media content (e.g., Figure 4, element 414). The forms module may further provide a form application associated with the selected form to format display of the transmissible media content according to the selected form, whereby the user can edit the document (e.g., Specification, page 26, lines 7-12). Thus, a communication module may communicate the document to and/or from one or more receiving terminals (e.g., Figure 1, elements 110, 112, 120, 130; and Specification, page 6, line 19 – page 8, line 17).

Dependent Claim 58

According to one aspect of the invention, as recited in dependent claim 58, for example, the at least one forms module recited in the system of claim 53 may enable creation of custom forms (e.g., Specification, page 17, line 11 – page 18, line 3).

Dependent Claim 61

According to one aspect of the invention, as recited in dependent claim 61, for example, the user-selected form recited in claim 53 may include at least two predetermined fields (e.g., Specification, page 24, lines 10-12). A first predetermined field may include content, while a second predetermined field may include an action property that facilitates communication of the content of the first predetermined field to the one or more receiving terminals (e.g., (e.g., Specification, page 24, line 13 – page 25, line 6). For example, in one implementation, the action property may include one of a Mail To property and a Dial Phone property (e.g., Specification, page 25, lines 7-22).

VI. Grounds of Rejection to be Reviewed on Appeal

(1) Claims 1-34, 36-39, 41-45, 47-49, 51-57, 59-60, and 62 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,561,446 to Montlick ("Montlick").

(2) Claims 40, 50, and 58 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Montlick in view of U.S. Patent No. 7,010,616 to Carlson ("Carlson").

(3) Claim 61 stands rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Montlick in view of U.S. Patent No. 6,169,911 to Wagner et al. ("Wagner").

(4) Claims 1, 9, 17, 25, and 53 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Stultz in view of Kumar.

VII. Argument

A. The Rejection of Claims 1-34, 36-39, 41-45, 51-57, 59-60, and 62 is Improper Because Montlick Does Not Disclose Each and Every Feature Recited Therein.

A *prima facie* case of anticipation requires a single reference to disclose, either expressly or inherently, each and every element as set forth in the claim. *Verdegaal Brothers v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); *see also Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989) ("The identical invention must be shown in as complete detail as contained in the . . . claim").

In the instant case, the Examiner has rejected claims 1-34, 36-39, 41-45, 47-49, 51-57, 59-60, and 62 under 35 U.S.C. § 102(b) as allegedly being anticipated by Montlick. This rejection is improper for at least the reason that the Examiner has failed to establish a *prima facie* case of anticipation, as Montlick fails to disclose each and every feature of the claimed invention. For at least this reason, the rejection is improper and should be reversed.

More particularly, Montlick does not disclose at least the feature of "presenting a plurality of different forms," which include "a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content," and "a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions

of the transmissible media content, wherein the user selected fields are less than all the available fields," as recited in independent claim 1, for example.

The Examiner alleges, however, that Montlick discloses the "full form used to format the display . . . according to all of the fields available for displaying" at Fig. 3a, and the "brief form used to format the display . . . according to the user selected one or more fields" at Fig. 4. See Final Action at 4. In particular, the Examiner relies upon various passages in cols. 8-9, alleging that the "form **physical – John Q Public** . . . has multiple fields 51, 52 and 53 and **electronic ink file 54** has fields 52 and 52 which are selected fields of form **physical – John Q Public**," and that Fig. 3a illustrates "a full form and **electronic ink file 54** is a brief form." Final Action at 4 (emphasis in original). Appellants disagree with the propriety of the Examiner's assertions.

For example, the claimed invention recites that the plurality of different forms relate to a "document formatted for display to include one or more fields corresponding to portions of . . . transmissible media content." As such, "a user [can] select the one or more fields corresponding to the portions of transmissible media content," and in response to the user's selection, "a plurality of *different forms*" are presented to the user. Specifically, the plurality of different forms include at least "a full form" formatted to display "all of the fields available for displaying the transmissible media content," and "a brief form" formatted to display "the user selected one or more fields," which includes "less than all the available fields." In other words, the "brief form" is a subset of the "full form," arising as a function of "enabling a user to select the one or more fields." As such, given a "document formatted . . . to include one or more fields," the "full form" includes "all of the fields available for displaying the transmissible media content." By contrast, the "brief form" only includes "the user selected one or more fields," which includes "less than all the available fields."

Montlick, however, does not disclose enabling a user to select one or more fields to create "a plurality of different forms" in this manner. Rather, the aspects of Montlick relied upon by the Examiner as allegedly constituting the "full form" (i.e., elements 51, 52, and 53 illustrated in Fig. 3a) cannot be selected by a user to "format the display of the transmissible media content." Instead, Montlick indicates that elements 51 include "data entry fields . . . at

fixed positions relative to the form,” that elements 52 include “handwritten notes . . . **placed on any portions** of the form,” and that elements 53 include “fields [that] . . . may contain handwritten information.” Montlick at col. 8, line 65 – col. 9, line 25. Thus, at best, Montlick identifies elements 51 and 53 as constituting “particular fields of particular forms,” but Montlick does not disclose “enabling a user to select the one or more fields” in a way that can be used to “format the display of the transmissible media content,” as recited in claim 1, for example. As such, Montlick does not disclose a distinction between a “full form” and a “brief form” for at least the reason that Montlick does not disclose formatting the display of a form according to “user selected . . . fields.”

In fact, Montlick disavows techniques that would relate to “presenting a plurality of *different forms*,” at least one of which includes “less than all the available fields.” For example, Montlick indicates that a “page of a typical internist’s patient physical form . . . is carefully mapped so that the relative locations of spaces on the page . . . **are always the same.**” Montlick at col. 8, lines 10-24. Thus, although Montlick allows users to enter data into a form by interacting with the form via a stylus responsive interface, Montlick does not disclose “enabling a user to select the one or more fields” and “presenting a plurality of *different forms*” in which the display of transmissible media content is formatted “according to the user selected one or more fields,” as recited in claim 1, for example.

Even so, the Examiner alleges that an electronic ink file, as illustrated in Fig. 4 of Montlick, includes “fields 52 and 52 which are selected fields of [the] form” illustrated in Fig. 3a. Final Action at 4. The Examiner’s assertion is incorrect for at least the reasons given above, in that the handwritten notes corresponding to elements 52 are not fields of the form described therein. Rather, Montlick clearly indicates that the “notes 52 **are not interpreted** by the central computer system 10 or the pen-based computer 12. Moreover, **no attempt is made to associate any one of the notes 52 with any one part of the page 50**” (col. 8, lines 29-32) (emphasis added). As such, it is unclear how the Examiner can interpret handwritten notes, which include “information . . . unintelligible to the computer” (Montlick at col. 8, lines 45-52), to be equivalent with fields that a user can select to format the display of a form. For example, Montlick specifically distinguishes between handwritten information contained in

digital ink files and “data entry fields” associated with a form. *E.g.*, Montlick at col. 8, line 65 – col. 9, line 25. Although certain “fields . . . may also contain handwritten information, stored as electronic ink and associated with specific portions of the form,” the handwritten ink, in itself, is distinct from the fields with which they are associated. Rather, the handwritten ink is limited to “a context specific to particular fields of particular forms.” Montlick at col. 9, lines 7-10. In other words, any field-level notes in the handwritten ink file are inseparable from their associated fields, and whenever Montlick displays a form, every field in the form is also displayed, and any handwritten notes or electronic ink “will be overlaid on top.” Montlick at col. 8, lines 52-54.

These differences are clear in view of Montlick’s indicating that “**all of the notes 52 are saved together** as a . . . graphic image,” which is then “associated with a particular form.” Montlick at col. 8, lines 32-40 (emphasis added). In other words, handwritten notes are associated with an entire form as a monolithic image, not as selectable fields, such that the notes cannot and do not exist independently of the form with which they are associated. To this end, Montlick unequivocally discloses that “the information (the handwritten notes) contained in the [digital ink] document is unintelligible to the computer,” and the notes only have “meaning to a user . . . [when] recalled for display **together with the form they are related to.**” Montlick at col. 8, lines 45-52 (emphasis added).

Accordingly, for at least the reason that Montlick does not enable users to choose or otherwise select which fields will be displayed in a form, Montlick does not disclose at least the feature of “enabling a user to select . . . one or more fields corresponding to portions of the transmissible media content,” as recited in claim 1, for example. Furthermore, for at least the reason that Montlick always displays each and every field associated with a form, Montlick does not disclose “presenting a plurality of different forms,” as recited in claim 1, for example. Further still, because Montlick does not disclose either of “enabling a user to select . . . fields,” or “presenting a plurality of different forms,” Montlick does not disclose “a brief form used to format the display . . . according to the user selected one or more fields,” which include “less than all the available fields,” as recited in claim 1, for example.

Thus, for at least the foregoing reasons, Montlick does not disclose several features recited in independent claim 1. For at least the foregoing reasons, the rejection of claim 1 based on Montlick is improper and should be reversed.

Independent claims 9, 17, 25, and 53 include features similar to those set forth in independent claim 1. Dependent claims 2-8, 10-16, 18-24, 26-34, 36-39, 41-45, 47-49, 51-52, 54-57, 59-60, and 62 depend from and add features to one of independent claims 1, 9, 17, 25, and 53. Accordingly, the rejection of these claims based on Montlick is likewise improper and should be reversed for at least the same reasons.

B. The Rejection of Claims 40, 50, and 58 is Improper Because Montlick and Carlson, Either Alone or in Combination, Fail to Disclose, Teach, or Suggest Each and Every Feature Recited Therein.

The Examiner has rejected claims 40, 50, and 58 under 25 U.S.C. § 103 as allegedly being unpatentable over Montlick in view of Carlson. This rejection is improper for at least the reason that the Examiner has failed to establish a *prima facie* case of obviousness, as the references relied upon, either alone or in combination, fail to disclose, teach, or suggest each and every feature of the claimed invention. For at least this reason, the rejection is improper and should be reversed.

More particularly, for at least the reasons discussed above in Section VII.A, Montlick fails to disclose, teach, or suggest at least the feature of “presenting a plurality of different forms,” which include “a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content,” and “a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions of the transmissible media content, wherein the user selected fields are less than all the available fields,” as recited in independent claim 1, for example.

Carlson fails to cure at least the deficiencies of Montlick discussed above. Therefore, for at least the foregoing reasons, Montlick and Carlson, either alone or in combination, fail to disclose, teach, or suggest every feature of independent claim 1.

Independent claims 9 and 53 include features similar to those set forth in independent claim 1. Dependent claims 40, 50, and 58 depend from and add features to one of independent claims 1, 9, and 53. Accordingly, for at least the foregoing reasons, the rejection of claims 40, 50, and 58 based on the combination of Montlick and Carlson is improper and should be reversed.

C. The Rejection of Claim 61 is Improper Because Montlick and Wagner, Either Alone or in Combination, Fail to Disclose, Teach, or Suggest Each and Every Feature Recited Therein.

The Examiner has rejected claim 61 under 35 U.S.C. § 103 as allegedly being unpatentable over Montlick in view of Wagner. This rejection is improper for at least the reason that the Examiner has failed to establish a *prima facie* case of obviousness, as the references relied upon, either alone or in combination, fail to disclose, teach, or suggest each and every feature of the claimed invention. For at least this reason, the rejection is improper and should be reversed.

More particularly, for at least the reasons discussed above in Section VII.A, Montlick fails to disclose, teach, or suggest at least the feature of “presenting a plurality of different forms,” which include “a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content,” and “a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions of the transmissible media content, wherein the user selected fields are less than all the available fields,” as recited in independent claim 1, for example.

Wagner fails to cure at least the deficiencies of Montlick discussed above. Therefore, for at least the foregoing reasons, Montlick and Wagner, either alone or in combination, fail to disclose, teach, or suggest every feature of independent claim 1.

Independent claim 53 includes features similar to those set forth in independent claim 1. Dependent claim 61 depends from and add features to independent claim 53. Accordingly, for at least the foregoing reasons, the rejection of claim 61 based on the combination of Montlick and Wagner is improper and should be reversed.

D. The Rejection of Claims 1, 9, 17, 25, and 53 is Improper Because Stultz and Kumar, Either Alone or in Combination, Fail to Disclose, Teach, or Suggest Each and Every Feature Recited Therein.

The Examiner has rejected claims 1, 9, 17, 25, and 53 under 35 U.S.C. § 103 as allegedly being unpatentable over Stultz in view of Kumar. This rejection is improper for at least the reason that the Examiner has failed to establish a *prima facie* case of obviousness, as the references relied upon, either alone or in combination, fail to disclose, teach, or suggest each and every feature of the claimed invention. For at least this reason, the rejection is improper and should be reversed.

More particularly, neither Stultz nor Kumar, either alone or in combination, disclose, teach, or suggest at least the feature of “presenting a plurality of different forms,” which include “a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content,” and “a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions of the transmissible media content, wherein the user selected fields are less than all the available fields,” as recited in independent claim 1, for example.

The Examiner alleges, however, that the figure on page 544 of Stultz teaches both the “full form used to format the display . . . according to all of the fields available for displaying the transmissible media content” and the “brief form used to format the display of the the transmissible media content according to the user selected one or more fields.” See Final Action at 11-12. In particular, the Examiner identifies the figure on page 544 of Stultz and the corresponding description under the heading of “Create New Message (Outbox)” as allegedly teaching both the “full form” and the “brief form.” Final Action at 11-12 (alleging that “form [sic] View button of figure on page 544, a user can select **From field**, **Cc field**, **Bcc field**”) (emphasis in original). Appellants disagree with the propriety of the Examiner’s assertions.

For example, the claimed invention expressly recites, among other things, “presenting a plurality of different forms,” wherein the plurality of different forms include a “full form” formatted to display “all of the fields available for displaying,” and a “brief form” formatted to

display “less than all the available fields.” As such, the “plurality of different forms” relate to one another in the sense that the “brief form” is a subset of the “full form,” whereby the claimed invention can further provide for “enabling selection . . . of at least one form from the plurality of different forms.”

In Stultz, by contrast, the Examiner has identified a figure that illustrates an outgoing message in Microsoft® Outlook, alleging that the “From field, Cc field or Bcc field” correspond to the “one or more fields” recited in the claimed invention. However, if an Outlook user were to format the display of outgoing messages by selecting one or more of the “From field, Cc field or Bcc field” from the View menu, as alleged by the Examiner, the effect thereof would be to toggle between including and excluding the fields in the outgoing message. As such, even if an outgoing message in Stultz could fairly be characterized as a “form[] for displaying . . . transmissible media content,” which Appellants do not concede, Stultz still fails to disclose, teach, or suggest at least the feature of “presenting a plurality of different forms,” which include “a full form” and “a brief form,” wherein the latter is a subset of the former.

That is, assuming the outgoing message to be a form, *arguendo*, selecting or deselecting the From field, the Cc field, the Bcc field, or other fields would merely format the display of the current message. Accordingly, Stultz relates, at best, to selecting or deselecting the fields displayed within a single form. However, formatting the display of a standalone form does not disclose, teach, or suggest “presenting a plurality of different forms,” which include “a full form used to format the display of the transmissible media content according to *all of the fields* available for displaying the transmissible media content,” and “a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions of the transmissible media content, wherein the user selected fields are *less than all the available fields*,” as recited in independent claim 1, for example.

Thus, for at least the foregoing reasons, Stultz does not disclose, teach, or suggest every feature recited in independent claim 1. Kumar fails to cure at least the deficiencies of Stultz discussed above.

Accordingly, for at least the foregoing reasons, Stultz and Kumar, either alone or in combination, fail to disclose, teach, or suggest every feature of independent claim 1.

Independent claims 9, 17, 25, and 53 include features similar to those set forth in independent claim 1. As such, the rejection of claims 1, 9, 17, 25, and 53 based on the combination of Stultz and Kumar is improper and should be reversed.

VIII. Claims Appendix

The pending claims (claims 1-34, 36-45, and 47-62) are attached in **Appendix A**.

IX. Evidence Appendix

Appendix B: None.

X. Related Proceedings Appendix

Appendix C: None

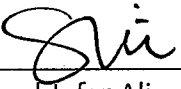
Conclusion

For at least the foregoing reasons, Appellants respectfully submit that the claims are clear, definite, and allowable over the references relied upon by the Examiner. Therefore, reversal of all of the rejections is respectfully requested.

Date: **December 9, 2008**

Respectfully submitted,

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Appendix A: Claims Appendix

1. **(Previously Presented)** A method of formatting a document that includes transmissible media content based on input generated at a wireless client device, the document formatted for display to include one or more fields corresponding to portions of the transmissible media content, the method comprising:

enabling a user to select the one or more fields corresponding to the portions of transmissible media content;

presenting a plurality of different forms comprising:

a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content, and

a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions of the transmissible media content, wherein the user selected fields are less than all the available fields;

enabling selection, on the wireless client device, of at least one form from the plurality of different forms for displaying the transmissible media content;

providing a form application associated with the selected form to format display of the transmissible media content according to the selected form; and

transmitting the formatted transmissible media content via a wireless medium.

2. **(Previously Presented)** The method of claim 1, wherein enabling selection of at least one form further comprises:

enabling selection of at least one of the brief form, the full form, a create form, a modify form, a delete form, a forward form, a fax form, and a send form.

3. **(Previously Presented)** The method of claim 1, further comprising:

communicating via at least one of a Bluetooth protocol, a Wireless Application protocol,

a Global System Mobile protocol, and a Wireless Markup Language protocol.

4. **(Previously Presented)** The method of claim 1, further comprising:
 presenting the transmissible media content to a user according to at least one presentation options.
5. **(Previously Presented)** The method of claim 4, wherein the at least one presentation option comprises at least one of a facsimile form, a memorandum form, an invitation form, and a user profile form.
6. **(Previously Presented)** The method of claim 1, wherein the transmissible media content comprises at least one of user data, address data, memo data, and search data.
7. **(Previously Presented)** The method of claim 1, further comprising:
 communicating the transmissible media content from a data source remote from the wireless client device.
8. **(Original)** The method of claim 1, wherein the form application comprises at least one form and at least one related subform.
9. **(Previously Presented)** A system for formatting a document that includes transmissible media content based on input generated at a wireless client device, the document formatted for display to include one or more fields corresponding to portions of the transmissible media content, the system comprising:
 a forms module enabling a user to select the one or more fields corresponding to the portions of transmissible media content; and
 a display that displays a plurality of forms comprising:
 a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content,

and

a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions of the transmissible media content, wherein the user selected fields are less than all the available fields;

an input interface on the wireless client device that enables selection of at least one form from the plurality of forms for displaying the transmissible media content on the wireless client device; and

a processor unit that provides a form application associated with the selected form to format display of the transmissible media content according to the selected form and transmits the formatted transmissible media content via a wireless medium.

10. **(Previously Presented)** The system of claim 9, wherein the processor unit is configured to select at least one of the brief form, the full form, a create form, a modify form, a delete form, a forward form, a fax form and a send form.

11. **(Previously Presented)** The system of claim 9, wherein the processor unit is configured to transmit the formatted transmissible media content via at least one of a Bluetooth protocol, a Wireless Application protocol, a Global System Mobile protocol, and a Wireless Markup Language protocol.

12. **(Previously Presented)** The system of claim 9, wherein the processor unit is configured to present the transmissible media content via the display of the wireless client device to a user according to at least one presentation option.

13. **(Previously Presented)** The system of claim 12 wherein the presentation option comprises at least one of facsimile form, memorandum form, invitation form, and user profile form.

14. **(Previously Presented)** The system of claim 9, wherein the transmissible media content comprises at least one of user data, address data, memo data, and search data.

15. **(Previously Presented)** The system of claim 9, wherein the transmissible media content is transmitted from a data source remote from the wireless client device.

16. **(Original)** The system of claim 9, wherein the form application comprises at least one form and at least one related subform.

17. **(Previously Presented)** A system for formatting a document that includes transmissible media content based on input generated at a wireless client device, the document formatted for display to include one or more fields corresponding to portions of the transmissible media content, the system comprising:

selection means enabling a user to select the one or more fields corresponding to the portions of transmissible media content;

display means for displaying a plurality of forms comprising:

a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content, and

a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions of the transmissible media content, wherein the user selected fields are less than all the available fields;

input interface means for enabling selection of at least one form from the plurality of forms for displaying the transmissible media content on the wireless client device; and

processor means for providing a form application associated with the selected form for formatting display of the transmissible media content according to the selected form; and

transmitting the formatted transmissible media content via a wireless medium.

18. **(Previously Presented)** The system of claim 17, wherein the processor means enables selection of at least one of the brief form, the full form, a create form, a modify form, a delete form, a forward form, a fax form and a send form.

19. **(Previously Presented)** The system of claim 17, wherein the processor means transmits the formatted transmissible media content via at least one of a Bluetooth protocol, a Wireless Application protocol, a Global System Mobile protocol, and a Wireless Markup Language protocol.

20. **(Previously Presented)** The system of claim 17, wherein the processor means is configured to present the transmissible media content via the display means to the user according to at least one presentation option.

21. **(Previously Presented)** The system of claim 20 wherein the at least one presentation option comprises at least one of a facsimile form, a memorandum form, an invitation form, and a user profile form.

22. **(Previously Presented)** The system of claim 17, wherein the transmissible media content comprises at least one of user data, address data, memo data, and search data.

23. **(Previously Presented)** The system of claim 17, wherein the transmissible media content is transmitted from a data source remote from the wireless client device.

24. **(Original)** The system of claim 17, wherein the form application comprises at least one form and at least one related subform.

25. **(Previously Presented)** A storage medium for storing machine readable code, the machine readable code being executable to format a document that includes transmissible media content based on input generated at a wireless client device, the document formatted

for display to include one or more fields corresponding to portion of the transmissible media content, the storage medium comprising:

forms selection code that enables a user to select the one or more fields corresponding to the portions of transmissible media content;

presenting code that presents a plurality of forms comprising:

a full form used to format the display of transmissible media content according to all of the available fields for displaying the transmissible media content, and

a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions of the transmissible media content, wherein the user selected fields are less than all the available fields;

selecting code that enables selection, on the wireless client device, of at least one form from the plurality of forms for displaying the transmissible media content on the wireless client device;

providing code that provides a form application associated with the selected form to format display of the transmissible media according to the selected form; and

communicating code that transmits the formatted transmissible media content via a wireless medium.

26. **(Previously Presented)** The storage medium of claim 25, wherein the selecting code further comprises option selecting code that selects at least one of the brief form, the full form, a create form, a modify form, a delete form, a forward form, a fax form and a send form.

27. **(Original)** The storage medium of claim 25, further comprising protocol communicating code that communicates via at least one of a Bluetooth protocol, a Wireless Application protocol, a Global System Mobile protocol, and a Wireless Markup Language protocol.

28. **(Original)** The storage medium of claim 25, further comprising presenting code that presents the transmissible media content to a user according to at least one presentation

option.

29. **(Previously Presented)** The storage medium of claim 28 wherein the at least one presentation option comprises at least one of a facsimile form, a memorandum form, an invitation form, and a user profile form.

30. **(Previously Presented)** The storage medium of claim 25, wherein the transmissible media content comprises at least one of user data, address data, memo data, and search data.

31. **(Previously Presented)** The storage medium of claim 25, further comprising remote communicating code that communicates the transmissible media content from a data source remote from the wireless client device.

32. **(Original)** The storage medium of claim 25, wherein the form application comprises at least one form and at least one related subform.

33. **(Previously Presented)** The method of claim 1, wherein the selected at least one form comprises at least two predetermined fields.

34. **(Previously Presented)** The method of claim 33, wherein one or more of the at least two predetermined fields is automatically pre-filled.

35. **(Cancelled)**

36. **(Previously Presented)** The method of claim 1, wherein each of the plurality of different forms is associated with at least one communication type.

37. **(Previously Presented)** The method of claim 1, wherein the step of enabling selection of at least one form, on the wireless client device, comprises enabling selection of a

communication type from a plurality of different communication types.

38. **(Previously Presented)** The method of claim 1 wherein enabling selection of at least one form, on the wireless client device, comprises enabling selection of a type of receiving terminal from a plurality of different types of receiving terminals.

39. **(Previously Presented)** The method of claim 38, wherein the plurality of different types of receiving terminals comprise at least one of a facsimile, a computer terminal, and a wireless device terminal.

40. **(Previously Presented)** The method of claim 1, wherein the selected at least one form is a custom made form.

41. **(Previously Presented)** The method of claim 1, wherein the step of formatting further comprises:

creating a custom action associated with the selected at least one form option.

42. **(Previously Presented)** The method of claim 1, wherein the step of enabling selection of at least one form further comprises:

enabling selection, for view by a user, of one of an entire form and a brief option, wherein the brief option only presents a portion of the selected at least one form.

43. **(Previously Presented)** The system of claim 9, wherein the at least one form comprises at least two predetermined fields.

44. **(Previously Presented)** The system of claim 43, wherein one or more of the at least two predetermined fields is pre-filled.

45. **(Previously Presented)** The system of claim 9, wherein the at least one form is selected

by a user.

46. (Cancelled)

47. (Previously Presented) The system of claim 9, wherein the at least one form is selected by selecting a communication type from a plurality of different communication types.

48. (Previously Presented) The system of claim 9, wherein the at least one form is selected by selecting a type of receiving terminal from a plurality of different types of receiving terminals.

49. (Previously Presented) The system of claim 48, wherein the type of receiving terminal is one of a facsimile, a computer terminal, and a wireless device terminal.

50. (Previously Presented) The system of claim 9, wherein the at least one form comprises a custom made form.

51. (Previously Presented) The system of claim 9, wherein the input interface enables a user to create a custom action associated with the at least one form.

52. (Previously Presented) The system of claim 9, wherein the input interface enables a user to select one of an entire form and a brief form, wherein the brief form presents a portion of the at least one form.

53. (Previously Presented) A system for formatting a document that includes transmissible media content based on input generated at a wireless client device, the document formatted for display to include one or more fields corresponding to portions of the transmissible media content, the system comprising:

a module that enables a user to select the one or more fields corresponding to the

portions of transmissible media content;

a display module that displays a plurality of forms comprising:

a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content, and

a brief form used to format the display of the transmissible media content according to the user selected one or more fields corresponding to the portions of the transmissible media content, wherein the user selected fields are less than all the available fields;

at least one forms module that enables selection, on the wireless client device, of a form from the plurality of forms for displaying transmissible media content, and provides a form application associated with the selected form that formats display of the transmissible media content according to the selected form, such that the user is enabled to edit the document; and

at least one communication module that communicates the document from the client wireless device to one or more receiving terminals.

54. **(Previously Presented)** The system of claim 53, wherein the one or more receiving terminals includes at least one of a facsimile, a computer terminal, and a wireless device terminal.

55. **(Previously Presented)** The system of claim 53, wherein the one or more receiving terminals are other than wireless device terminals.

56. **(Previously Presented)** The system of claim 53, wherein the at least one forms module includes pre-stored forms.

57. **(Previously Presented)** The system of claim 53, wherein the at least one forms module includes pre-stored forms and enables creation of custom forms.

58. **(Previously Presented)** The system of claim 53, wherein the at least one forms module enables creation of custom forms.

59. **(Previously Presented)** The system of claim 53, wherein the at least one forms module enables the user to specify a form type and a plurality of form properties of a custom form.

60. **(Previously Presented)** The system of claim 53, wherein the form selected by the user includes at least two predetermined fields, wherein a first predetermined field includes content and a second predetermined field includes an action property, and wherein the action property facilitates communication of the content of the first predetermined field to the one or more receiving terminals.

61. **(Previously Presented)** The system of claim 60, wherein the action property includes one of a Mail To property and a Dial Phone property.

62. **(Previously Presented)** The system of claim 60, wherein the action property is pre-stored in the second predetermined field.

Appendix B: Evidence Appendix

None

Appendix C: Related Proceedings Appendix

None